

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services 6669 Short Lane Gloucester, Virginia 23061



Date:

Online Project Review Certification Letter

Project Name:

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Virginia Field Office online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the referenced project in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA), and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c, 54 Stat. 250), as amended (Eagle Act). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be mailed to the address on the letterhead for this certification to be valid. This letter and the project review package will be maintained in our records.

The species conclusions table in the enclosed project review package summarizes your ESA and Eagle Act conclusions. These conclusions resulted in "no effect" and/or "not likely to adversely affect" determinations for listed species and critical habitat and/or "no Eagle Act permit required" determinations for eagles regarding potential effects of your proposed project. We certify that the use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the "no effect" and "not likely to adversely affect" determinations for listed species and critical habitat and "no Eagle Act permit required" determinations for eagles. Additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages consideration of these species by avoiding adverse impacts to them. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of listed species, critical habitat, or bald eagles becomes available, this determination may be reconsidered. This certification letter is valid for one year.

Applicant Page 2

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Virginia is available at our website http://www.fws.gov/northeast/virginiafield/endspecies/project_reviews.html. If you have any questions, please contact Kimberly Smith of this office at (804) 693-6694, extension 124.

Sincerely,

/s/ Cynthia A. Schulz

Cindy Schulz Supervisor Virginia Field Office

Enclosures - project review package

PROJECT NAME

17-SPGP-01 COMPLETE APPLICATION CHECKLIST

* Please note that additional information may be required by the agency(ies) to complete project review.

	Submission Requirements	Material
1	Completed and signed JPA with SPGP box checked	
2	Any existing Corps project numbers and previous actions	
3	The applicant's name, contact person, mailing address, telephone number, email address	JPA Section 1
4	The authorized agent's name, contact person, mailing address, telephone number, email address	JPA Section 1
5	Project location information: address, city/county	JPA Section 2
	Water body or water bodies or receiving stream, as applicable	JPA Section 2
7	Latitude and longitude (to the nearest second) from a central location within the project limits	JPA Section 2
8	The hydrologic unit code (HUC) for the project area	JPA Section 2
	The name of the project, narrative description of project purpose, and a description of the proposed activities in waters, including wetlands	JPA Section 3
10	Permanent and temporary WOUS Impacts; to inlcude wetlands and open waters	JPA Section 8
	All appropriate sections from the JPA, including signature pages: (a) Include Sections 1-9, and applicable Sections 10-27 for all General Permits (b) Check that all applicable requirements within individual sections (i.e. Appendices) of the JPA have been followed, such as road and utility crossing narratives	
12	A detailed location map (e.g., a United States Geologic Survey topographic quadrangle map, ADC road map) of the project area, including the project boundary. The map should be of sufficient detail such that the site may be easily located for site inspection	
13	Project plan view. All plan view sketches should include, at a minimum, north arrow, scale, existing structures, existing contours, proposed contours (if available), limit of waters, including wetlands, direction of flow, ordinary high water line, impact limits, and location and dimension of all proposed structures in impact areas. In addition, cross-sectional or profile sketches with the above information may be required to detail impact areas and those impacts associated with the installation of structures.	
14	Check that all informational requirements for drawings, listed in Appendix D of the JPA, have been followed	
15	Large-sized impact map (at a scale no smaller than 1" = 200'); use matchlines if the entire site cannot fit on one sheet at this scale and provide a cover page showing how all sheets relate.	
16	A description of the specific on-site measures considered and taken during project design and development both to avoid and minimize impacts to waters, including wetlands, to the maximum extent practicable. If applicable, submit alternative designs as well as an economic analysis	
17	Endangered and threatened species information and related correspondence	

18	Historic resources information and related correspondence, including a plan view depicting all historical resources located within the project boundaries.	
19	A conceptual mitigation plan that adheres to the mitigation requirements and preference hierarch of the Corps-EPA Compensatory Mitigation for Losses of Aquatic Resources Rule dated April 10, 2008 (33 CFR 325 and 332; 40 CFR 230)	
20	Applicants proposing compensation involving the purchase or use of mitigation banking or in-lieu fee credits shall include as their conceptual compensation plan: (a) The name of the proposed mitigation bank or in-lieu fee; (b) the HUC in which it is located; (c) the number of credit proposed to be purchases; (d) a letter of credit availability from the Sponsor (e) If applicable, a copy of the stream assessment report in the JPA	
21	WETLANDS: Applicants proposing onsite/offsite permittee responsible mitigation shall include as their conceptual compensation plan (33 CFR 332.4(c)(2)-(14)): (a) Objectives; (b) site selection; (c) site protection instruments; (d) baseline information; (e) credit determination methodology (f) mitigation work plan including water budget; (g) maintenance plan; (h) ecological performance standards; (i) monitoring requirements; (j) long-term management; (k) adaptive management plan; (l) financial assurances;	
	WATERS: Applicants proposing onsite/offsite permittee responsible mitigation shall include as their conceptual compensation plan (33 CFR 332.4(c)(2)-(14)): (a) Objectives; (b) site selection; (c) site protection instruments; (d) baseline information; (e) credit determination methodology (f) mitigation work plan including water budget; (g) maintenance plan; (h) ecological performance standards; (i) monitoring requirements; (j) long-term management; (k) adaptive management plan; (l) financial assurances; (m) planform geometry (n) channel form (o) watershed size (p) design discharge (q) riparian area plantings (r) a reference reach	
23	A Corps confirmed delineation map that is approved for use with a permit application or confirmed jurisdictional determination map that includes the limits of all waters, including wetlands that are located within the project boundaries.	

2	4	A written disclosure identifying all wetlands, open water, streams, and associated			
		upland buffers within the proposed project or compensation areas that are under a			
		deed restriction, conservation easement, restrictive covenant, or other land use			
		protective instrument (protected areas). Such disclosure shall include the nature of the			
		prohibited activities within the protected areas.			

Can Be Sent Via Email

From: [Insert requestor's mailing address, e-mail address, and phone number]

To: U.S. Fish and Wildlife Service

Virginia Field Office 6669 Short Lane

Gloucester, Virginia 23061

[INSERT DATE OF CORRESPONDENCE]

Re: Online Project Review Request, Project Name, County(ies), Virginia, Optional project number/identifier

We have reviewed the referenced project using the Virginia Field Office's online project review process and have followed all guidance and instructions in completing the review. We completed our review on [Insert DATE when you completed the review using online information] and are submitting our project review package in accordance with the instructions for further review.

Our proposed action consists of: [Insert a brief description of the proposed project, including all associated activities such as utilities, stormwater management, access roads, etc. Other documents that describe the project, if available, can be referenced and enclosed].

The location of the project and the action area are identified on the enclosed map [enclose a map with the location of property and the action area clearly delineated on a U.S. Geological Survey Topographic Map with the name of the quad labeled or the lat. / long. coordinates provided. For large or linear project or batched reviews of multiple sites, provide GIS shapefiles of the project boundary/features with the projection indicated, if available].

The project is expected to be completed [insert start date and planned project duration].

This project review is needed for [Insert description of the need for review (e.g., grant application, required review by county, etc.). Provide the name of any federal agency or federal program providing a permit, funding, grant, authorization, loan, etc. associated with the proposed project. If the project has no federal nexus, state that there is no federal nexus.]

The enclosed project review package provides the information about the species, critical habitat, and bald eagles considered in our review, and the species conclusions table included in the package identifies our determinations for the resources that may be affected by the project.

For additional information, please contact [name of contact] at the address listed above.

Sincerely,

[Requestor Name and Title]

Enclosures:

- 1) ENTIRE PROJECT REVIEW PACKAGE
- 2) Other relevant project data/documents

[Date]

[SPGP Permittee Contact's Name] [Permittee Company Name] [Permittee Address] [City, State, Zip] SENT VIA E-MAIL: [email address]
RECEIPT CONFIRMATION REQUESTED

RE: State Program General Permit (17-SPGP-01) Verification

Permit Number: [WPX-XX-XXXX][XX-XXXX]

[Project Name], [County/City], Virginia

Dear [SPGP Permittee Contact's Name]:

The Virginia Department of Environmental Quality (DEQ) has received and completed technical review of your application/re-verification request dated [Date] and received [Date]. Based on DEQ's technical review, DEQ has determined the proposed project satisfies the terms and conditions contained in the Corps of Engineers, Norfolk District State Program General Permit (17-SPGP-01). You are required to adhere to all terms and conditions contained within the attached 17-SPGP-01 and any Special Conditions listed below. Your 17-SPGP-01 verification is effective as of the date on this letter and remains effective until **May 31, 2022**.

The impacts are associated with the [describe the type of work, e.g., construction of a residential community and associated infrastructure)]. The applicant is hereby authorized to impact [DESCRIPTION OF SPGP IMPACTS]:

The conceptual mitigation plan submitted with your application indicated that mitigation will include [the purchase of][list SPGP compensation]. This mitigation shall be completed and documentation shall be submitted to DEQ prior to commencement of project impacts.

SPECIAL CONDITIONS (List SPGP special conditions):

This letter shall serve as verification to proceed with the project as proposed. The permittee shall be responsible for contacting DEQ to revise the verification, including provisions for compensatory mitigation, if the location or amount of the impacts changes.

Please contact [Permit Writer Name] by phone at (XXX) XXX-XXXX or by email at XXXX@deq.virginia.gov if you have any questions or concerns regarding the information contained herein.

Respectfully,

[Name]

Regional VWPP Program Manager

Attachment: 17-SPGP-01

Cc (via E-mail):

[Agent Name], [Company]

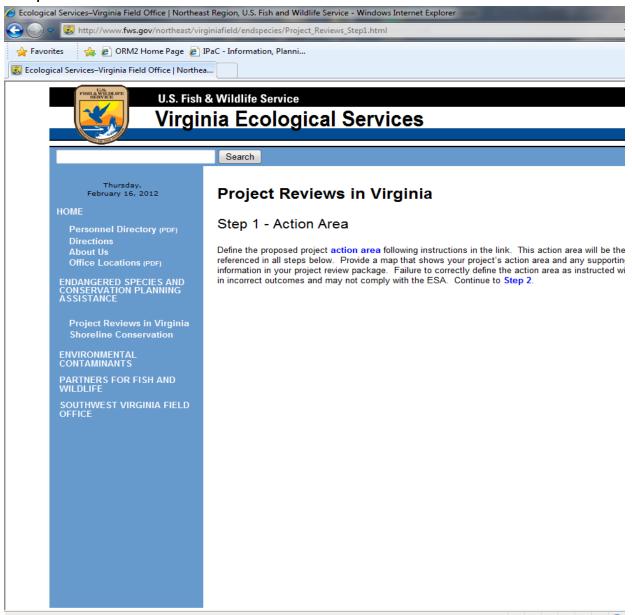
[Contact Name], U.S. Army Corps of Engineers

[Contact Name], Virginia Marine Resources Commission

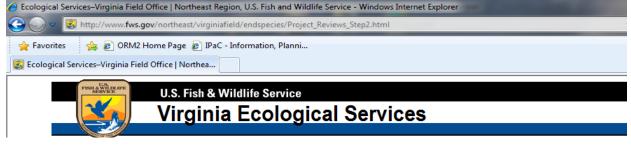
Project Reviews in Virginia

All steps can be found on the FWS website: http://www.fws.gov/northeast/virginiafield/endspecies/Project_Revie

Step 1 - Action Area



Step 2 - Official Species List



Search

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ENDANGERED SPECIES AND CONSERVATION PLANNING ASSISTANCE

Project Reviews in Virginia Shoreline Conservation

ENVIRONMENTAL CONTAMINANTS

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SOUTHWEST VIRGINIA FIELD OFFICE

Project Reviews in Virginia

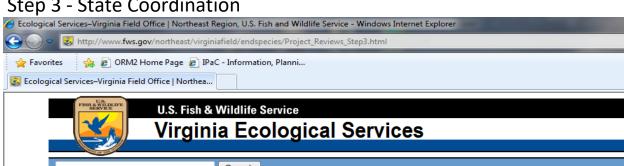
Step 2 - Official Species List

Use the Service's Information, Planning and Consultation system (IPaC) (http://ecos.fws.gov/ipac/) determine if any listed, proposed or candidate species may be present in the action area. Following t directions in IPaC, use the initial project scoping tool to generate a species list by selecting the map drawing the delineated action area. After selecting the appropriate project type, request an Official S List. The Official Species List will include all species that may occur in the vicinity of the action are includes a map of the action area. IPaC will also generate a list of National Wildlife Refuges in the vic your action area. Print the PDF version of this Official Species List and add it to your project review package. Do not use the state/county list tool for this review since it will list all species that may occ that state / county and will not provide site specific information. After completing the steps in IPaC, e website and continue below.

- (A). If the Official Species List species list indicates that there are no listed, proposed or candidate species found in the action area, add "ESA listed species" to your species conclusions table (MS Word Format), and put "species not present" in the conclusion column in the species conclusions table . Continue to Step 5. Until the proposed project is implemented, check IPaC every 90 days to ensure that listed, proposed or candidate species information for the action area is current. If any changes to the species list occur, you must complete this process for the newly identified species.
- (B). If the Official Species List indicates that listed, proposed or candidate species may be present in the action area, add all of the species on the list to the species conclusions table (MS Word Format). Continue to Step 3.

NOTE: Proposed species are any species of fish, wildlife or plant that is proposed in the Federal Reg be listed under section 4 of the ESA. Candidate species are species of fish, wildlife or plants for whi Service has sufficient information to propose them as endangered or threatened under the ESA, but i development of a proposed listing regulation is precluded by other higher priority listing activities. The encourages consideration of these species in the environmental review process by avoiding adverse i to these species. Until they are proposed for listing, candidate species are not legally protected purs the ESA, therefore any actions undertaken to avoid impacts or provide protection for these species a

Step 3 - State Coordination



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Personnel Directory (PDF)

ENDANGERED SPECIES AND CONSERVATION PLANNING ASSISTANCE

ENVIRONMENTAL CONTAMINANTS

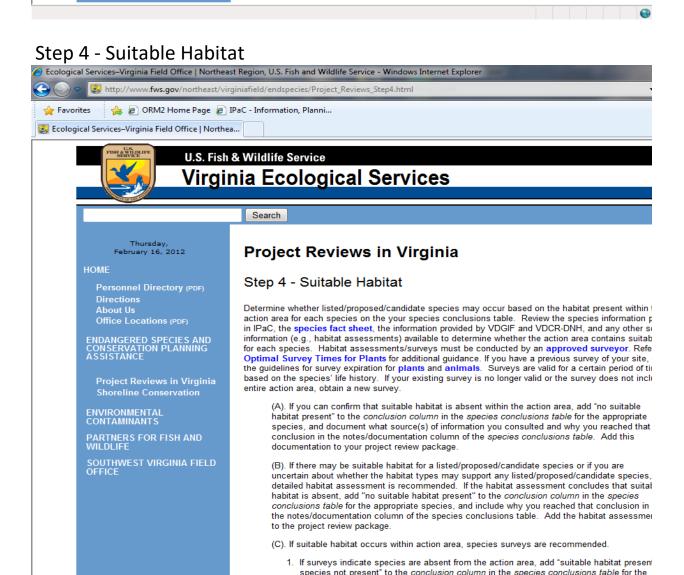
Project Reviews in Virginia

Step 3 - State Coordination

Determine whether a documented occurrence of any listed, proposed or candidate species is within to area by contacting both VDGIF and VDCR-DNH; each agency maintains a different database and has expertise and/or regulatory responsibility. Add any VDGIF and VDCR-DNH documentation to the pro review package.

- (A). If either agency provides documentation that a federally listed, proposed or candidate species is present within the action area, add "species present" under the conclusion column to the appropriate species on the species conclusions table. If the conclusion for all species on your list is "species present," go to Step 5. Otherwise, continue to Step 4.
- (B). If there are no documented occurrences of a federally listed, proposed or candidate specie within the action area and/or the State agencies do not mention a species on your list, leave tl conclusions column blank in the species conclusions table and continue to Step 4.

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appropriate species. Add the survey report to the project review package.

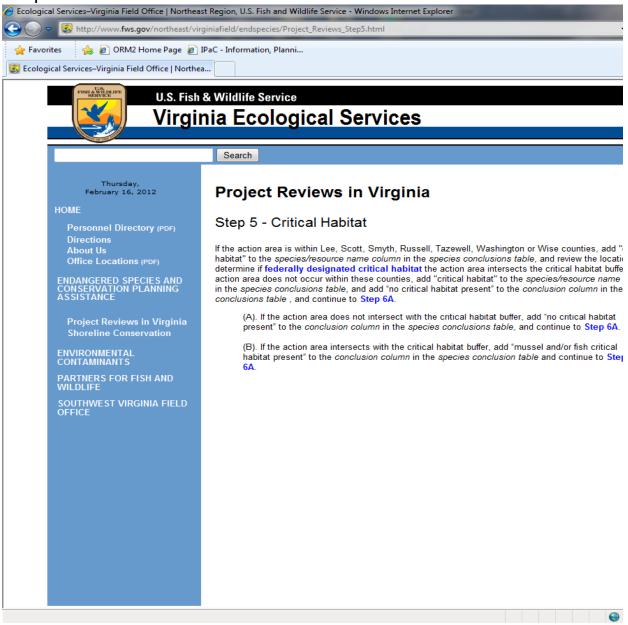
report to the project review package.

conclusions table for the appropriate species.

If surveys document that a species is present, add "species present" to the conclusion column in the species conclusions table for the appropriate species. Add the survey

(D). If surveys are not conducted and potential habitat occurs with action area, add "potential habitat present and no current survey conducted" to the conclusion column in the species

Step 5 - Critical Habitat



Step 6a - Eagle Nests



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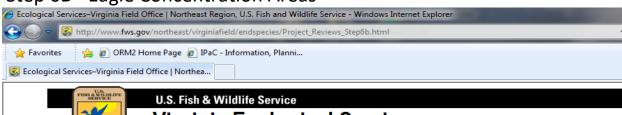
Project Reviews in Virginia

Step 6a - Eagle Nests

The bald eagle (Haliaeetus leucocephalus) is protected by the Bald and Golden Eagle Protection A Act). Follow the steps below to determine if an Eagle Act permit may be necessary. Contact VDGIF bald eagle is a state listed species and Virginia has regulations and/or guidelines for bald eagle mana, The bald eagle nesting (breeding) season in Virginia is from December 15 through July 15.

- (A). Determine if the action area intersects with a bald eagle nest buffer. The Center for Conservation Biology VaEagles Nest Locator provides the locations of active bald eagle nes in Virginia. (Note: to use this database you will need to read the data use agreement and agree the terms of use.)
 - 1. If the action area is not within 660 feet of a bald eagle nest, add "bald eagle" to the species/resource name column and add "unlikely to disturb nesting bald eagles" to the conclusion column in the species conclusions table. Print the VaEagles Map and add i the project review package. Continue to Step 6B.
 - 2. If the action area is within 660 feet of a bald eagle nest, determine whether the proposed action may disturb the nesting eagle by following the steps in the Service's Region 5 bald eagle management guidelines and conservation measures web review process. Provide the nestcode (e.g., nest identifier JC0905) from VaEagles website in the notes/documentation column of the species conclusion table.
 - (a). If you are able to implement the recommendations in the guidelines, add "bald eagle" to the species/resource name column and add "unlikely to disturb nesting bald eagles" to the conclusion column in the species conclusions table. Document recommendations you adopted to avoid disturbance in the notes/documentation column of the species conclusions table, and add any additional documents/documentation to the project review package. Continue to Step 6B.
 - (b). If you are unable to implement the recommendations in the guidelines, add "bald eagle" to the species/resource name column and add "may disturb nesting bald eagles" to the conclusion column in the species conclusions table. Provide an explanation of why the recommendations cannot be implemented in the notes/documentation column of the species conclusions table, and add this to the project review package. Continue to Step 6B.

Step 6B - Eagle Concentration Areas



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Virginia Ecological Services

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ENDANGERED SPECIES AND CONSERVATION PLANNING ASSISTANCE

Project Reviews in Virginia Shoreline Conservation

ENVIRONMENTAL CONTAMINANTS

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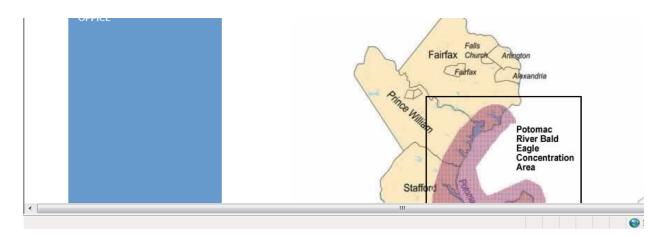
SOUTHWEST VIRGINIA FIELD

Project Reviews in Virginia

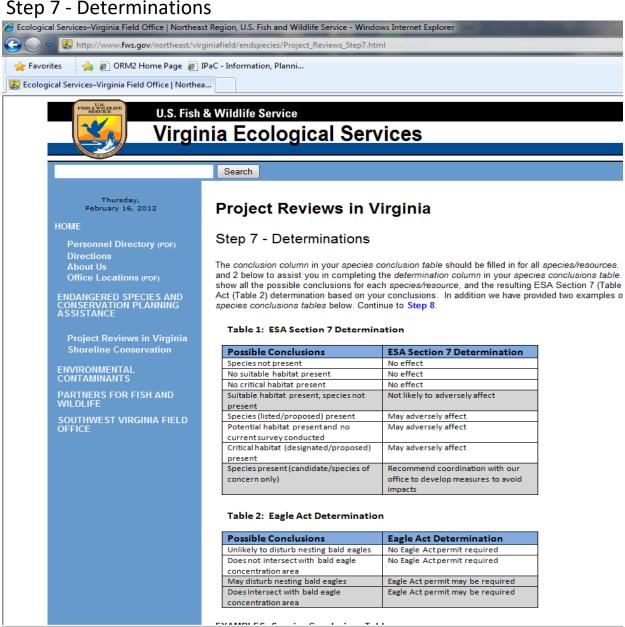
Step 6B - Eagle Concentration Areas

(B). Use the map below to determine if your action are intersects with a bald eagle concentration at the Potomac, Rappahannock, and James River concentration areas. Click within one of these areas t concentration area, and determine whether your action area intersect with a winter and/or summer

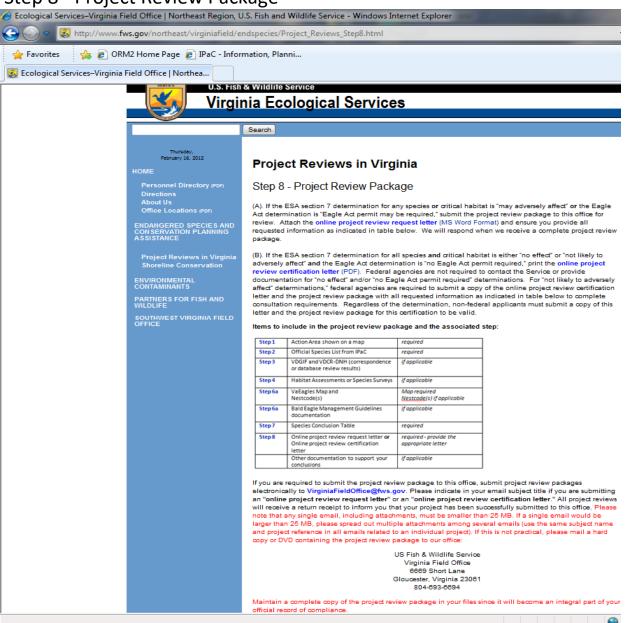
- If the action area does not intersect with either a winter and/or summer concentration eagle" to the species/resource name column and add "does not intersect with an eagle of to the conclusion column in the species conclusions table. Continue to Step 7.
- If the action area intersects with either a winter and/or summer concentration area, add species/resource name column and add "does intersect with eagle concentration area" to column in the species conclusions table. Continue to Step 7.

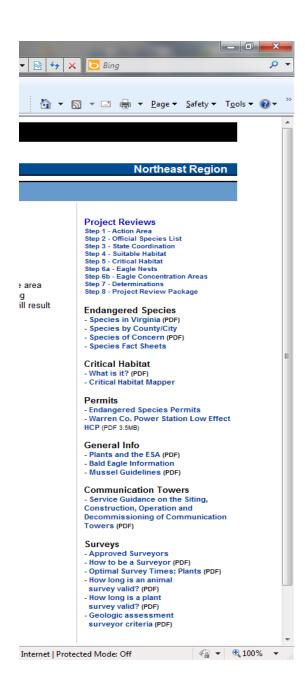


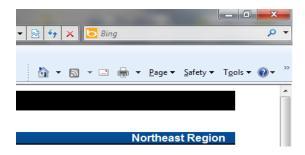
Step 7 - Determinations

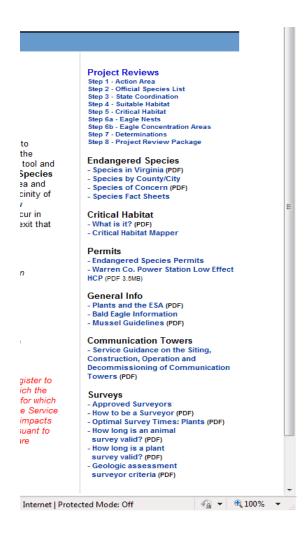


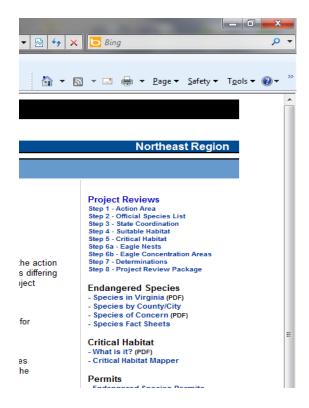
Step 8 - Project Review Package

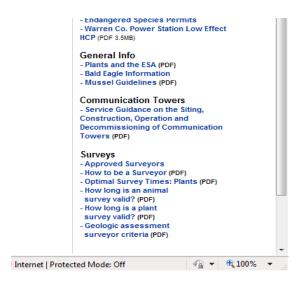




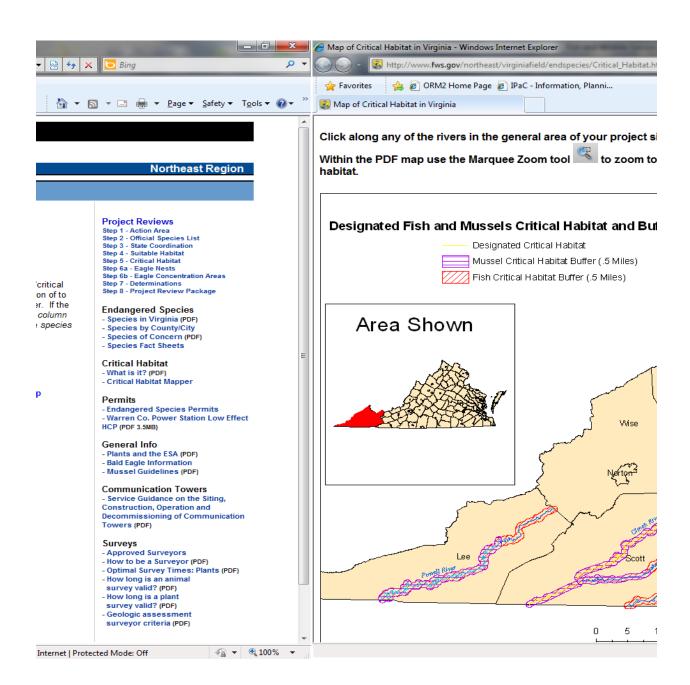


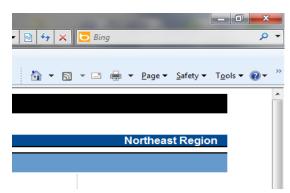


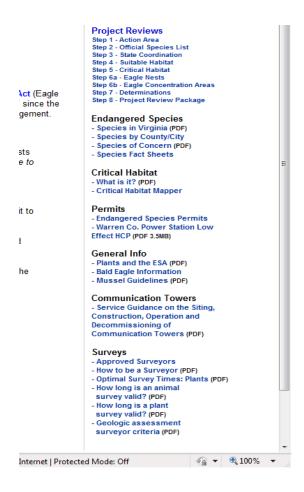


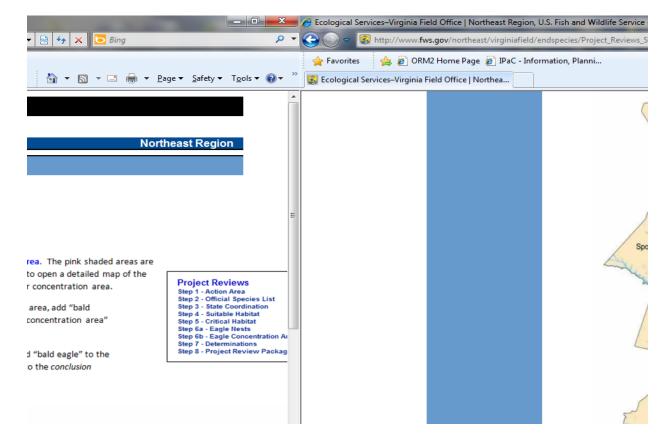


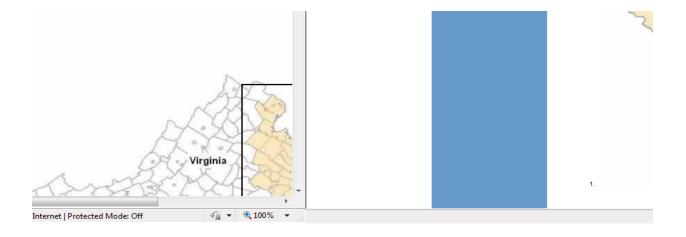


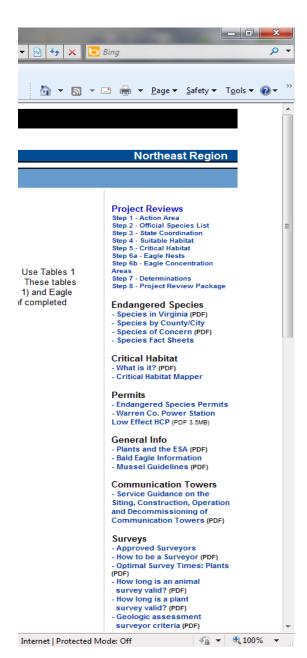


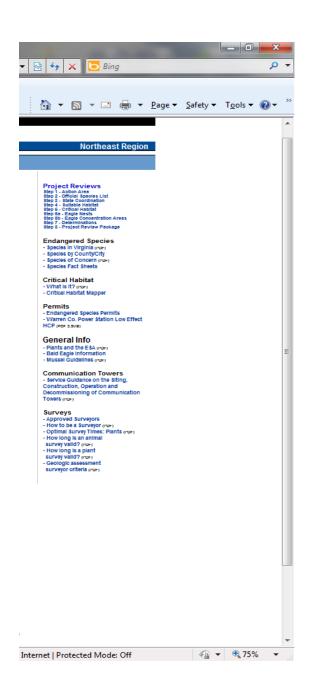


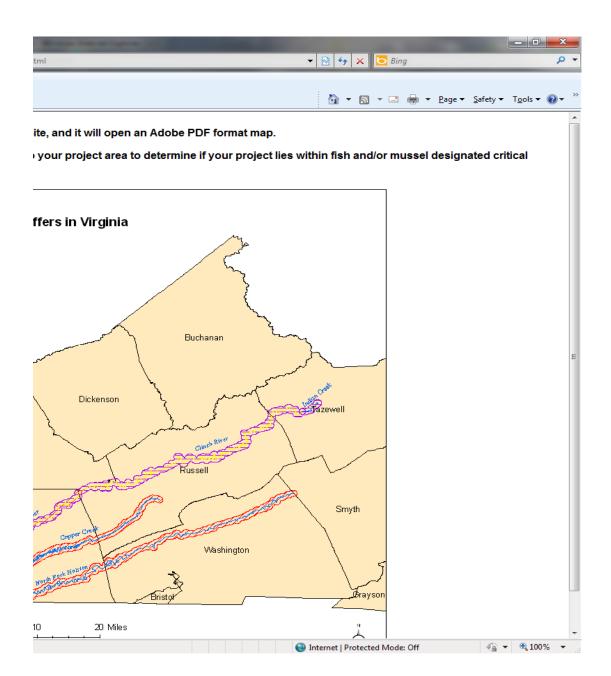


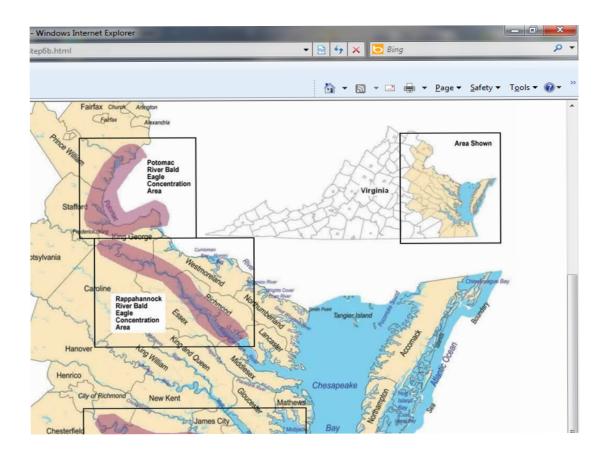


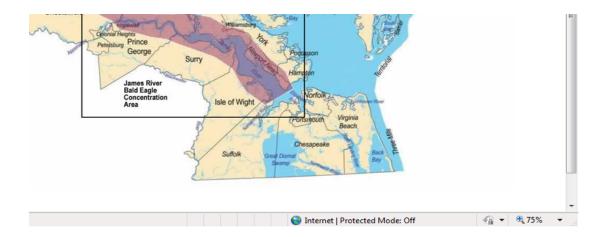












Species Conclusions Table

			Project Name:		
Date:			Project Number:		
Project Description:					
Species Under the Jur	risdiction of FWS:				
Species/Resource		ESA Section 7 / Eagle			
Name	Conclusion	Act Determination	Species Info / Habitat Description	Notes / Determination	
Eagles (Haliaeetus leu	ıcocephalus)				
Eagle Nests					
Eagle Concentration Areas					
Critical Habitat					
Species Under the Jur	risdiction of NMFS				
NOAA Fish saisa					
NOAA Fisheries					

Species Conclusions Table

Date:			Project Number:		
Other (species not li	Other (species not listed above)				